

REMARKS

Claims 1-19 and 23-25 are pending in this application. By this Amendment, claim 8 is amended. No new matter is added by this Amendment. Claims 15-19 and 23-25 are provisionally withdrawn as drawn to a non-elected group of claims. Reconsideration of the application based on the above amendment and the following remarks is respectfully requested.

The Office Action, on page 2, makes final the Restriction Requirement. The Office Action indicates that claims 15-19 and 23-25 are withdrawn from further consideration. Applicant continues to respectfully traverse the Restriction Requirement and requests rejoinder of the withdrawn claims, for at least the reason, as stated in MPEP §821.04(b), that if the Applicant elects claims directed to a product which is subsequently found allowable, then the withdrawn process claims, which depend from or otherwise require all the limitations of an allowable product claim, will be considered for rejoinder. Applicant appreciates the withdrawal of the Election of Species Requirement.

Accordingly, rejoinder and examination of claims 15-19 and 23-25 are earnestly solicited upon the finding of the product claims allowable based on the discussion below.

The Office Action, on page 3, rejects claim 8 under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 8 has been amended to obviate this rejection. Accordingly, reconsideration and withdrawal of the rejection of claim 8 under 35 U.S.C. §112, second paragraph, are respectfully requested.

The Office Action, on page 4, rejects claims 1 and 2 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0032744 to Nishizawa et al. (hereinafter "Nishizawa") in view of U.S. Patent No. 5,440,456 to Bertling et al. (hereinafter "Bertling"). The Office Action, on page 5, rejects claim 3 under 35 U.S.C. §103(a) as being unpatentable over Nishizawa in view of Bertling, in further view of JP A-2000-028887 to

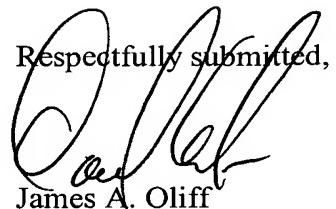
Inaba (hereinafter "Inaba"). Additionally, on page 5, the Office Action rejects claims 4-14 under 35 U.S.C. §103(a) as being unpatentable over Nishizawa in view of Bertling, in further view of U.S. Patent No. 6,161,953 to Chouji et al. (hereinafter "Chouji"). Applicant respectfully traverses these rejections.

Nishizawa is not available as prior art because Applicant claims priority from JP-A-2003-145108 filed on May 22, 2003, which date is prior to the August 14, 2003 filing date of Nishizawa. The Claim for Priority was filed on September 21, 2004. The Applicant will submit an accurate English-language translation of the priority document, along with a statement that the translation is accurate, in compliance with MPEP §201.13, in due course.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-14 under 35 U.S.C. §103(a) as being unpatentable over any combination of Nishizawa with Bertling, Inaba and/or Chouji, are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-19 and 23-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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